

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARIA TERESA HERNANDEZ,

Plaintiff,

v.

KILOLO KIJAKAZI, acting
Commissioner of Social Security,

Defendant.

CASE NO.: 1:21-cv-00036-BAK-GSA

**ORDER VACATING SHOW CAUSE
AND GRANTING EXTENSION FOR
DEFENDANT TO FILE A RESPONSE
BRIEF**

On January 27, 2022 the Court entered an order for Defendant to show cause why Defendant did not file a response brief by the January 24 deadline. Doc. 18. Defendant responded on February 3, 2022 indicating that counsel of record is out of the country, inadvertently missed the deadline and neglected to seek an extension. Doc. 19. The parties now stipulate to an extension to February 21, 2022 for Defendant to file the response brief. Doc. 20.

When considering whether good cause exists to modify a scheduling order, courts consider the foreseeability of the impediment to meeting the deadline and the party's diligence in seeking the extension once it became apparent they could not meet the deadline. *See Sharp v. Covenant Care LLC*, 288 F.R.D. 465, 467 (S.D. Cal. 2012); *Ordaz Gonzalez v. Cty. of Fresno*, No. 1:18-CV-01558-BAM, 2020 WL 2539287, at *2 (E.D. Cal. May 19, 2020). The Court has the inherent power to manage its own docket to achieve an orderly and expeditious resolution of cases. *Southern California Edison Co. v. Lynch*, 307 F.3d 794 (9th Cir. 2002).

The inadvertently missed deadline was promptly addressed in Defendant's response to the show cause order and the extension is unopposed.

